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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. CR-17-0387-CRB-1
)	
Plaintiff,)	JOINT STATUS REPORT
)	
v.)	
)	
AMER SINAN ALHAGGAGI,)	
)	
Defendant.)	

The parties hereby jointly file this status report in advance of the status conference scheduled in the above-referenced matter on May 16, 2018.

As the Court will recall, on March 14, 2018, the government made an *ex parte, in camera* submission pursuant to Section 4 of the Classified Information Procedures Act. Docket No. 59. On April 9, 2018, this Court issued an order relating to that submission, authorizing the issuance of a protective order and the withholding of certain discovery. Docket No. 60. Since then, the parties have made progress on a number of matters.

First, the parties have discussed the pending October 1, 2018, trial date. Specifically, the parties are discussing whether this trial can proceed by way of a stipulated facts bench trial, in lieu of a jury trial. In an effort to reach an agreement, the parties have recently exchanged drafts of stipulated facts.

Discussions on this matter are ongoing.

Second, the parties have discussed possible pretrial motions that may be filed, regardless of whether the case proceeds by bench trial or jury trial. The defense anticipates filing a motion to dismiss the indictment on First Amendment grounds, and a motion *in limine* to exclude some of the government's evidence. The government anticipates filing a motion *in limine* regarding potential expert testimony sought by the defendant.

Third, the parties continue to discuss discovery-related matters. The government discovery index currently contains 11,426 Bates-stamped items. Most of these items are individual .pdf pages of discovery; some, however, are CDs or DVDs that contain additional digital materials, such as recordings, photographs, and electronic search warrant returns. The defense is the process of reviewing these materials, some of which were turned over only recently. The defense is considering requesting further materials as part of the discovery process.

At the status conference, and based on the availability of the Court, the parties anticipate setting a briefing schedule for dispositive motions as well as any motions *in limine* and discovery motions and setting a pretrial conference date.

DATED: May 15, 2018

Respectfully submitted,

ALEX G. TSE
Acting United States Attorney

Agreed by email May 15, 2018
S. WAQAR HASIB
Assistant United States Attorney

Agreed by email May 15, 2018
MARY G. MCNAMARA, ESQ.
Counsel for defendant ALHAGGAGI